

HOUSE BILL No. 1147

DIGEST OF INTRODUCED BILL

Citations Affected: IC 34-28-9.

Synopsis: Appealable orders. Provides that a court order concerning a motion for summary judgment or a motion to dismiss is appealable if the amount in controversy is at least \$100,000. Provides that an appellate court has discretion to consider an appeal of a court order denying a motion for summary judgment or a motion to dismiss if the amount in controversy is less than \$100,000.

Effective: July 1, 2014.

Washburne

January 13, 2014, read first time and referred to Committee on Judiciary.



Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

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A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 34-28-9 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2014]:
4 **Chapter 9. Appealable Orders**
5 **Sec. 1. (a) In an action in which the amount in controversy is at**
6 **least one hundred thousand dollars (\$100,000), a court order**
7 **concerning a:**
8 **(1) motion for summary judgment; or**
9 **(2) motion to dismiss;**
10 **is appealable.**
11 **(b) In an action in which the amount in controversy is less than**
12 **one hundred thousand dollars (\$100,000), an appellate court has**
13 **discretion to consider an appeal of a court order denying a:**
14 **(1) motion for summary judgment; or**
15 **(2) motion to dismiss.**

